

12-CV-02036-MRET

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

WILLIAM MARTIN JONES,

Petitioner,

v.

STEPHEN D. SINCLAIR,

Respondent.

Case No. C12-2036-JLR

**ORDER DISMISSING 28 U.S.C.  
§ 2254 HABEAS PETITION  
WITHOUT PREJUDICE**

The Court, having reviewed petitioner's 28 U.S.C. § 2254 petition for writ of habeas corpus, respondent's Answer, the Report and Recommendation of the Honorable Brian A. Tsuchida, United States Magistrate Judge, any objections or responses to that, and the remaining record, finds and orders as follows:

1. The Report and Recommendation is **ADOPTED**;
2. Petitioner's § 2254 habeas petition is **DISMISSED** without prejudice for failure to exhaust state-court remedies;
3. Petitioner is **DENIED** issuance of a certificate of appealability; and
4. The Clerk shall send a copy of this Order to the parties and to Judge Tsuchida.

DATED this 12<sup>th</sup> day of July, 2013.

  
JAMES L. ROBERT  
United States District Judge

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